

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

TRICIA RICHELLE COPELAND,

Plaintiff,

v.

CITY OF MARYSVILLE,

Defendant.

CASE NO. C12-741 MJP

ORDER GRANTING MOTION TO  
STRIKE

THIS MATTER comes before the Court on Plaintiff's motion to strike Defendant's motion for summary judgment. (Dkt. No. 29.) The Court considered the motion, Defendant's response (Dkt. No. 31), Plaintiff's reply (Dkt. No. 33), and all related briefings. The Court GRANTS the motion and STRIKES Defendant's motion for summary judgment (Dkt. No. 22) as untimely.

This Court entered a Pretrial Scheduling Order setting a dispositive motions deadline of October 11, 2012. (Dkt. No. 13.) Nothing in the docket changed this deadline. Defendant filed its motion for summary judgment on April 23, 2013, more than 6 months late. (Dkt. No. 22.)

1 In their response, Defendant acknowledges the filing was late and the Court has  
2 discretion to strike the motion for summary judgment. (Dkt. No. 31 at 3.) Defendant provides no  
3 persuasive reason for the Court to abandon their deadline and accept Defendant's motion in their  
4 responsive briefing. The Court GRANTS Plaintiff's motion and STRIKES Defendant's motion  
5 for summary judgment (Dkt. No. 22.).

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7 The clerk is ordered to provide copies of this order to all counsel.

8 Dated this 13th day of May, 2013.

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12 Marsha J. Pechman  
13 Chief United States District Judge  
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